

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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U2 HOME ENTERTAINMENT, INC.,

07 CV 6013 (DLC)

Plaintiff,

- against -

WEI PING YUAN a/k/a WEI PING YUEN,
HUNG MUI YUEN a//a HUNG MUI YUAN,
YEE MUI LEE, SHUEMAN WONG, SHUEYIN
WONG, CHUN HIU LAM, CHI TING CHANG,
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC. and THE HEMISPHERE NATIONAL
BANK n/k/a REPUBLIC FEDERAL BANK,

Defendants.

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ANSWER OF DEFENDANT WEI PING YUAN

SIR/MADAM:

PLEASE TAKE NOTICE that Defendant Wei Ping Yuan, by his counsel Richard A. Klass, Esq., in answering the Complaint of Plaintiff, alleges as follows:

1. Defendant admits the allegations contained in paragraphs 1, 2, 6, 7, 15, 16, 17, 18, 19 and 27 of the Complaint.
2. Defendant denies knowledge or information concerning the allegations contained in paragraphs 3, 4, 8, 9, 10, 11, 12, 13, 14, 20, 21, 22, 23, 25, 39, 40, 41, 45, 48, 49, 50, and 51 of the Complaint.
3. Defendant denies the allegations contained in paragraphs 5, 26, 28, 29, 31, 32, 33, 35, 36, 37, 43, 44, 46, and 52 of the Complaint.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

4. The place of trial of this action, in which any judgment demanded would affect the title, possession, use or enjoyment of real property, should be in the county in which any part of the subject real property is situated.

5. That the two parcels of real property referred to in the Complaint are located within Kings County, State of New York, which is within the territorial jurisdiction of the United States District Court for the Eastern District of New York.

6. By virtue thereof, this Court lacks jurisdiction over this action.

7. Accordingly, demand is hereby made upon Plaintiff to dismiss this action and commence the same in the property jurisdiction.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

8. The Complaint fails to state a cause of action for which relief can be granted.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

9. Plaintiff's claims are barred by reason of its failure to plead the acts or omissions with particularity.

WHEREFORE, Defendant Wei Ping Yuan demands judgment as follows:

a) Dismissing the Complaint of Plaintiff as against Defendant Wei Ping Yuan;

b) Granting Defendant Wei Ping Yuan the costs and disbursements of this action; and

c) Granting such other and further relief as this Court deems just and proper.

Dated: Brooklyn, New York
August 7, 2007

_____/s/_____
RICHARD A. KLASS, ESQ. (RK-9477)
Attorney for Defendant
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